

REMARKS

This application has been reviewed in light of the Office Action dated April 13, 2004. Claims 1-15 are in this application. Claims 1, 8, 10 and Claim 12 are in independent form. Claim 1 has been amended. Favorable reconsideration is requested.

Applicants note with appreciation the allowance of Claims 12 and 13, and the indication that Claims 4, 5, 9, 11, 14 and 15 would be allowable if rewritten so as not to depend from a rejected claim.

Claims 1, 8 and 10 were rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent 6,238,065 (*Jones* '065) and claims 2, 3, 6 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Jones* '065. These rejections are respectfully traversed.

As a threshold matter, Applicants are surprised that claims 8 and 10 were rejected along with claim 1. The Office Action contends that *Jones* discloses all of the features recited in claim 1, but does not contend that *Jones* discloses certain features of claim 8 (specifically, the features related to the second optical element) or certain features of claim 12 (the features of the lamp, reflector and microprisms being elongated). And, in fact, we note that in paragraph 2 of the "Allowable Subject Matter Section" (see pp. 4-5 of the Office Action), the Examiner finds that the cited art does not show those features. Applicants therefore respectfully submit that independent claims 8 and 10 should have been properly allowed, and respectfully request the Examiner to remove the Section 102 rejection.

Turning now to independent claim 1, as recited therein, the present invention relates to a luminaire that includes a lamp, and a reflector that has an emission opening and surrounds the lamp. The luminaire further includes an optical element that is arranged in or before the emission opening, to deflect light beams which enter a light entry surface and exit a light exit. The optical element has a plate-like core of transparent material occupied on the light entry surface with tapered microprisms, formed furrows, having roots from which the microprisms taper. This combination of features is neither taught nor suggested by the cited prior art.

In particular, *Jones* fails completely to disclose tapered microprisms. *Jones* relates generally to a purportedly non-glaring, aesthetically pleasing lighting fixture, and discloses a so-called "structure 60" that passes light. *Jones* teaches various alternatives for its structure 60, including: lenslettes having a convex outer surface and planar inner surface (Fig. 15); lenslettes having a planar outer surface and convex inner surface (Fig. 16); lenslettes having convex outer and inner surfaces (Fig. 17); lenslettes having concave outer and inner surfaces (Fig. 18); lenslettes having a concave outer surface and a convex inner surface (Fig. 19); step lenslettes (Fig. 20); and lenslettes in which each one can have a different purpose than its neighbor (Fig. 21).

None of the *Jones* configurations can be said to be tapered microprisms formed by furrows, having roots from which the microprisms taper. In view of the fundamental differences between tapered prisms on the one hand, and various convex, concave, etc. structures of *Jones*, Applicants respectfully submit that *Jones* cannot possibly anticipate claim 1. Accordingly, Applicants respectfully request the Examiner to remove the Section 102 rejection.

The other rejected claims in this application depend either from independent Claim 1 or 10, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

CONCLUSION

In view of the foregoing Amendments and Remarks, a Notice of Allowance is earnestly solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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